


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EGA <input checked="" type="checkbox"/> PINION
YES <input type="checkbox"/> NO <input type="checkbox"/>

SIGNATURE

VMP MORTGAGE SOLUTIONS, INC.,

Plaintiff,

v.

Case No. 05-CV-74324-DT

eLYNX, LTD.,

Defendant.

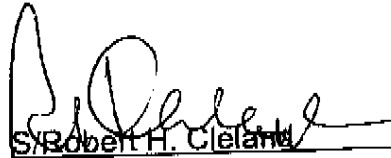
**ORDER DENYING PLAINTIFF'S REQUEST FOR A TEMPORARY RESTRAINING
ORDER, DIRECTING PLAINTIFF TO SERVE DEFENDANT,
AND SETTING STATUS CONFERENCE**

On November 10, 2005, Plaintiff filed its Verified Complaint and "Motion for Issuance of a Temporary Restraining Order, Order to Show Cause and Preliminary Injunction" in the above-captioned matter. The court has determined that the requirements for issuing a temporary restraining order without notice to the adverse party under Federal Rule of Civil Procedure 65(b) are not met in this case. Plaintiff's affidavit and complaint fail to establish that "immediate and irreparable injury, loss, or damage will result . . . before the adverse party or that party's attorney can be heard in opposition." Fed. R. Civ. P. 65(b)(1). Accordingly,

IT IS ORDERED that Plaintiff's "Motion for Issuance of a Temporary Restraining Order, Order to Show Cause and Preliminary Injunction" is DENIED IN PART. Specifically, it is DENIED with respect to the request for a temporary restraining order.

Plaintiff is DIRECTED to serve Defendant in this matter and the court will conduct an in-person status conference with the attorneys in this case on **November 17, 2005 at 9:00 a.m.** Party representatives with full settlement authority are

DIRECTED to appear or be available by telephone. The court will discuss scheduling issues, including the scheduling of a preliminary injunction hearing, and the possibility of an amicable resolution of this case.



ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 10, 2005

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 10, 2005, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522